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FROM: Charles B. Cappellari
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TO: Examiner: Lu, F.
Group 1634

U.S. Patent & Trademark Office

Facsimile No. (703) 872-9306

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MAR 21 2005

Number of pages (including this cover page): 4

In re Patent Application of:)	Group Art Unit: 1634
)	
AMMANN <i>et al.</i>)	Examiner: Lu, F.
)	
Serial No. 09/973,862)	Atty. Docket No. GP095-06.DV4
)	
Filed: October 11, 2001)	Confirmation No. 8811
)	
Title: AUTOMATED SYSTEM FOR)	Date: March 21, 2005
ISOLATING AND AMPLIFYING A)	
TARGET NUCLEIC ACID)	

Transmitted herewith are the following:

- 1) Transmittal Form PTO/SB/21 (1 pg.); and
 - 2) Response to Election of Species Requirement (2 pgs.).
-

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Date: March 21, 2005

By: 

Charles B. Cappellari
Registration No. 40,937

PTO/SB/21 (09-04)

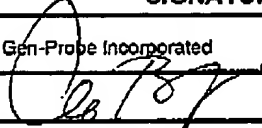
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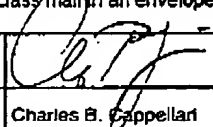
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/973,862
	Filing Date	October 11, 2001
	First Named Inventor	AMMANN et al.
	Art Unit	1634
	Examiner Name	LU, F.
	Attorney Docket Number	GP095-06.DV4
Total Number of Pages in This Submission		4

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
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<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
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<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Other Enclosure(s) (please identify below):
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<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Remarks	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	Response to Election of Species Requirement	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	Gen-Probe Incorporated	
Signature		
Printed name	Charles B. Cappellari	
Date	March 21, 2005	Reg. No. 40,937

CERTIFICATE OF TRANSMISSION/MAILING		
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Signature		
Typed or printed name	Charles B. Cappellari	Date March 21, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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In re Patent Application of:)	Group Art Unit: 1634
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AMMANN <i>et al.</i>)	Examiner: Lu, F.
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Serial No. 09/973,862)	Atty. Docket No. GP095-06.DV4
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Filed: October 11, 2001)	VIA FACSIMILE
)	
For: AUTOMATED SYSTEM FOR)	
ISOLATING AND AMPLIFYING)	
A TARGET NUCLEIC ACID)	
SEQUENCE)	

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Examiner's Office Action mailed on February 23, 2005, Applicants hereby elect the species of claim 26 (the immobilization and incubation stations of the claimed system do not have a common incubator) and claims 32 and 42 (the amplification and hybridization stations of the claimed system do not have a common incubator). The claims readable on the species of claim 26 include claims 23, 24 and 26-56, and the claims readable on the species of claims 32 and 42 include claims 23-30, 32-40 and 42-56. This election of species is made without traverse.

No fee is believed due in connection with this Response. If Applicants are mistaken, then please charge any amounts due to Deposit Account No. 07-0835 in the name of Gen-Probe Incorporated.

RESPONSE

Serial No. 09/973,862
Atty. Docket No. GP095-06.DV4

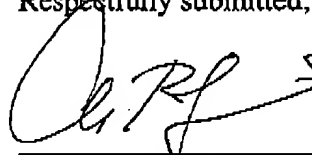
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Respectfully submitted,

Date: March 21, 2005

By:



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Attorney for Applicants

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